

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51702 of 2026

Arising Out of PS. Case No.-77 Year-2026 Thana- Bhittha District- Sitamarhi

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Ramadhar Kumar @ Ramdhar Kumar @ Ram Adhar Kumar @ Ram Adhar
Mahto S/o Baijnath Mahto @ Baidhnath Mahto Resident of Village- Babu
Narha, ward no. 10 @ Bachopatti Narha ward no. 10, P.S.- Bajpatti, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

2 29-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The present application has been filed on behalf of
the petitioner for grant of regular bail in connection with Bhittha
P.S. Case No. 77 of 2026, for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is a recovery of
153.00 litres of Nepali Gaurav Saufi country made liquor from
the bush along with two motorcycles in which one seized
motorcycle bearing registration no. BR06DE4432 belongs to the
petitioner.

4. Learned counsel for the petitioner submitted that
the petitioner is innocent and has falsely been implicated in this



case. The prosecution story is false and concocted and does not appeal to normal reasoning. From the reading of the FIR, it is evident that nothing has been recovered from the conscious possession of the petitioner.

5. It is submitted on behalf of the petitioner that while the petitioner was returning from his relative house and on suspicion police arrested the petitioner and the petitioner has no concern with the material found in the place of occurrence. Petitioner has no concern with the alleged offence and petitioner has been made accused on mere suspicion and there is no direct and indirect evidence against the petitioner. Petitioner has one criminal antecedent of similar nature in which he is on bail. Petitioner is in custody since 24.06.2026. Similarly situated co-accused person, namely, Dilkhush Yadav, has been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 29.07.2026 passed in Cr. Misc. No. 52656 of 2026.

6. Learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court no. 2 /concerned court in connection with Bhittha P.S. Case No. 77 of 2026, subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.

(ii) Petitioner will co-operate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Ranjeet/-

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